United Nations S/AC.49/2016/60

Security Council

Distr.: General
19 September 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 15 September 2016 from the Permanent Mission of Jordan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Hashemite Kingdom of Jordan presents its compliments to the Chair of Security Council Committee established pursuant to resolution 1718 (2006) regarding the implementation of measures imposed in relation to the Democratic People's Republic of Korea, and in reference to your previous note dated 7 September 2016, regarding the submission of the national report of the Hashemite Kingdom of Jordan on the measures taken in order to implement effectively the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

The Permanent Mission of the Hashemite Kingdom of Jordan has the honour to transmit herewith the report of the Government of Jordan on the above-mentioned resolutions (see annex).

16-16265 (E) 270916 031016

Please recycle

Annex to the note verbale dated 15 September 2016 from the Permanent Mission of Jordan to the United Nations addressed to the Chair of the Committee

[Original: Arabic]

Summary report presented by Jordan to the Security Council regarding implementation of Security Council resolution 2270 (2016) on the imposition of heightened sanctions against the Democratic People's Republic of Korea

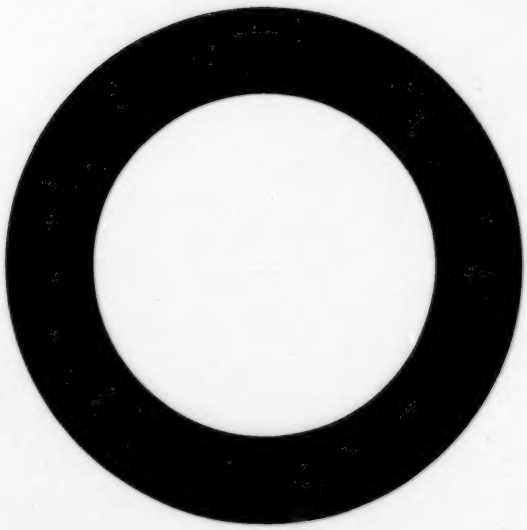
Background

Jordan long ago established a national committee that brings together the ministries and competent national agencies responsible for following up implementation of the Security Council resolutions that impose sanctions against specific States, entities or individuals. That committee must inform the Ministry of Foreign Affairs of any measures taken, so that the necessary reports can be drafted and presented regularly to the Security Council.

Follow-up by the national sanctions committee of the implementation of Security Council resolution 2270 (2016)

The reports presented by this committee to the Ministry of Foreign Affairs have not contained any indication that it has addressed any matter or situation related to the sanctions imposed on the Democratic People's Republic of Korea since the adoption of resolution 2270 (2016) on 2 March 2016. There was, however, a single situation in which it was suspected that one of the resolution's provisions might have been violated. The Ministry of Foreign Affairs, in cooperation with the Ministry of Transport, addressed the matter and the case was closed. In June 2016, the Ministry of Foreign Affairs was informed that two vessels operated by a Jordanian company were flying the flag of the Democratic People's Republic of Korea. Upon enquiry, the company stated that it did not operate those vessels, but they were, rather, operated by companies that belonged to non-Jordanian owners. The company added that it dealt with those vessels only with regard to the implementation of the International Safety Management Code. However, in order to ensure implementation of resolution 2270 (2016), the company contacted the non-Jordanian owners of the vessels, and the flag of the vessel *Aliman* was changed. A certificate confirming the deflagging of that vessel will be obtained from the relevant registration office. The owner of the vessel *Bassant*, which is currently undergoing repairs in dry dock, will also do the same before returning it to operation. The Ministry of Transport has been instructed to follow up this case and obtain copies of the deflagging certificates.

It should also be noted that, according to Jordan Customs, all items imported from or exported to the Democratic People's Republic of Korea are processed through the red channel and thus subject to physical inspection.



United Nations S/AC.49/2016/61

Security Council

Distr.: General
6 September 2016
English
Original: English/Russian

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 6 September 2016 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Kazakhstan to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit the national action plan of the Republic of Kazakhstan to implement Security Council resolution 2270 (2016) of 2 March 2016 (see annex).

16-17611 (E) 171016 211016

Please recycle

Annex to the note verbale dated 6 September 2016 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Chair of the Committee

[Original: Russian]

National action plan of the Republic of Kazakhstan to implement Security Council resolution 2270 (2016) of 2 March 2016

1. The Ministry of Foreign Affairs of the Republic of Kazakhstan wishes to report that, if it is determined that a diplomat, governmental representative, or other national of the Democratic People's Republic of Korea (DPRK) acting in a governmental capacity is working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provisions of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), then the Republic of Kazakhstan shall expel the individual from its territory for the purpose of repatriation to the DPRK, consistent with applicable national and international law.

Moreover, as a consequence of implementing the obligations imposed in paragraph 8 (d) of resolution 1718 (2006) and paragraphs 8 and 11 of resolution 2094 (2013), the State authorities of the Republic of Kazakhstan shall close the representative offices of designated entities and prohibit such entities, as well as individuals or entities acting for or on their behalf, directly or indirectly, from participating in joint ventures or any other business arrangements, and if a representative of such an office is a DPRK national, then the individual must be expelled from the territory of Kazakhstan for the purpose of repatriation to the DPRK, consistent with applicable national and international law, pursuant to and consistent with paragraph 10 of resolution 2094 (2013).

2. The State authorities of the Republic of Kazakhstan shall, within their spheres of competence:

- Prevent specialized teaching or training of DPRK nationals, within the territory of Kazakhstan or by its nationals, of disciplines that could contribute to the DPRK's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems, including teaching or training in advanced physics, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace engineering, aeronautical engineering and related disciplines;
- Inspect the cargo within or transiting through the territory of Kazakhstan, including in airports, seaports and free trade zones, that has originated in the DPRK, or that is destined for the DPRK, or has been brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on DPRK-flagged aircraft or maritime vessels, for the purposes of ensuring that no items are transferred in violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016). Such inspections must be implemented in a manner that

minimizes the impact on the transfer of cargo that is for humanitarian purposes;

– Prohibit nationals of Kazakhstan and those in its territory from leasing or chartering its flagged vessels or aircraft or providing crew services to the DPRK (this prohibition shall also apply with respect to any designated individuals or entities, any other DPRK entities, any other individuals or entities whom the State determines to have assisted in the evasion of sanctions or in violating the provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), any individuals or entities acting on behalf or at the direction of any of the aforementioned, and any entities owned or controlled by any of the aforementioned); deregister any vessel that is owned, operated or crewed by the DPRK and not register any such vessel that is deregistered by another Member State pursuant to paragraph 19 of resolution 2270 (2016). This last provision shall not apply with respect to such leasing, chartering or provision of crew services notified to the Security Council in advance on a case-by-case basis accompanied by:

(a) Information demonstrating that such activities are exclusively for livelihood purposes which will not be used by DPRK individuals or entities to generate revenue;

(b) Information on measures taken to prevent such activities from contributing to violations of the aforementioned resolutions.

3. The State authorities of the Republic of Kazakhstan shall, within their spheres of competence:

– Deny permission to any aircraft to take off from, land in or overfly, unless under the condition of landing for inspection, the territory of Kazakhstan, if they have information that provides reasonable grounds to believe that the aircraft contains items the supply, sale, transfer or export of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), except in the case of an emergency landing, and when considering whether to grant overflight permission to flights shall assess known risk factors;

– Prohibit the entry into Kazakh ports of any vessel if there is information that provides reasonable grounds to believe the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), unless entry is required in the case of emergency or in the case of return to its port of origination, or for inspection, or unless the Security Council determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of resolution 2270 (2016);

– Bear in mind that, as the Security Council Committee established pursuant to resolution 1718 (2006) has designated the DPRK firm Ocean Maritime Management (OMM), the vessels specified in annex III of resolution 2270 (2016) are economic resources controlled or operated by OMM and are

therefore subject to the asset freeze imposed in paragraph 8 (d) of resolution 1718 (2006);

- Prohibit the acquisition by Kazakh nationals of gold, titanium ore, vanadium ore and rare earth minerals from the DPRK;

- Prevent the sale or supply by nationals of Kazakhstan, from its territory or using its flag vessels or aircraft, of aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel, whether or not originating in the territory of Kazakhstan, to the territory of the DPRK. This provision shall not apply with respect to the sale or supply of aviation fuel to civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight;

- Implement the asset freeze imposed by paragraph 8 (d) of resolution 1718 (2006), which shall apply to all the funds, other financial assets and economic resources outside of the DPRK that are owned or controlled, directly or indirectly, by entities of the Government of the DPRK or the Worker's Party of Korea, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, that Kazakhstan determines are associated with the DPRK's nuclear or ballistic missile programmes or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016);

- Prohibit, in the territory of Kazakhstan, the opening and operation of new branches, subsidiaries and representative offices of DPRK banks, and also prohibit financial institutions within the territory of Kazakhstan from establishing new joint ventures and from taking an ownership interest in or establishing or maintaining correspondent relationships with DPRK banks, unless such transactions have been approved by the Security Council Committee in advance, and shall take the necessary measures to close such existing branches, subsidiaries and representative offices, and also to terminate such joint ventures, ownership interests and correspondent banking relationships with DPRK banks within ninety days from the adoption of resolution 2270 (2016);

- Prohibit financial institutions within the territory of Kazakhstan from opening new representative offices or subsidiaries, branches or banking accounts in the DPRK;

- Take the necessary measures to close existing representative offices, subsidiaries or banking accounts in the DPRK within ninety days, if Kazakhstan has credible information that provides reasonable grounds to believe that such financial services could contribute to the DPRK's nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016). This provision shall not apply if the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations or the activities of the United Nations or its specialized agencies or related organizations, or for any other

purposes consistent with resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016);

- In connection with the concern that transfers to the DPRK of gold may be used to evade the measures imposed in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), State authorities of the Republic of Kazakhstan shall, within their spheres of competence, apply the measures set forth in paragraph 11 of resolution 2094 (2013) to the transfers of gold, including through gold couriers, transiting to and from the DPRK so as to ensure such transfers of gold do not contribute to the DPRK's nuclear or ballistic missile programmes, or other activities prohibited by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016), or to the evasion of measures imposed by resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) or 2270 (2016);

- With regard to the freezing of assets, suspension of business activities, etc., the State authorities of the Republic of Kazakhstan shall be guided by the annex to resolution 2270 (2016);

- The State authorities of the Republic of Kazakhstan shall inform the Ministry of Foreign Affairs within one day of all information discovered and action taken thereon under this action plan.

United Nations S/AC.49/2016/62

Security Council

Distr.: General
28 September 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 27 September 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Chair of the Committee

Upon instructions from my Government, I have the honour to submit to the Security Council Committee established pursuant to resolution 1718 (2006) the report of the Republic of Azerbaijan on measures to implement Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2013) (see annex).

(*Signed*) Yashar Aliyev
Ambassador
Permanent Representative

16-17153 (E) 101016

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Annex to the letter dated 27 September 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Chair of the Committee

Report of the Republic of Azerbaijan on the implementation of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016)

As a State Member of the United Nations, the Republic of Azerbaijan recognizes the primary responsibility of the Security Council in maintaining international peace and security and fully supports the timely and effective implementation of its resolutions. To that end, Azerbaijan has taken the national measures necessary to enforce the respective provisions of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016). However, it must be taken into account that, owing to the occupation of 20 per cent of its territory by the Republic of Armenia, the Republic of Azerbaijan is unable to guarantee the implementation of these resolutions in the occupied territories until the occupation ends and the territorial integrity of Azerbaijan is restored.

Since regaining its independence, Azerbaijan has been supporting and contributing to global efforts aimed at promoting peace and security, including non-proliferation activities. As one of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Azerbaijan is committed to the goals and principles of the Treaty and fully abides by its obligations.

Azerbaijan takes all efforts necessary to maintain an effective export control system in order to prevent illegal activities relating to arms and military and dual-use goods, including the proliferation of weapons of mass destruction, their means of delivery and related materials. The export control system of the Republic of Azerbaijan is aimed at ensuring national security interests and implementing its obligations emanating from international non-proliferation agreements to which it is a party. According to the Constitution of the Republic of Azerbaijan, international agreements to which Azerbaijan is a party form an inalienable part of its legislative system, and in the event of conflict between national acts (with the exception of the Constitution and any referendum acts) and the international agreements to which Azerbaijan is a party, the latter shall prevail. The export control system of the Republic of Azerbaijan also recognizes the role of the Security Council in imposing embargoes and other restrictions.

Following the adoption of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), Azerbaijan has taken the measures necessary to implement the respective provisions of these resolutions in an effective manner.

In this regard, the Ministry of Foreign Affairs of the Republic of Azerbaijan communicated the resolutions and other pertinent documents, with their detailed descriptions, to the Cabinet of Ministers of the Republic of Azerbaijan, which, in turn, issued instructions to the respective State agencies for their full implementation.

United Nations S/AC.49/2016/63

Security Council

Distr.: General
29 September 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 29 September 2016 from the Permanent Mission of Brazil to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Brazil to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit its report on the measures taken by the Government of Brazil regarding the implementation of resolution 2270 (2016) (see annex).

16-17282 (E) 251016

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Annex to the note verbale dated 29 September 2016 from the Permanent Mission of Brazil to the United Nations addressed to the Chair of the Committee

Report of the Federative Republic of Brazil on the implementation of Security Council resolution 2270 (2016)

1. Further to its previous reports (S/AC.49/2006/35, S/AC.49/2009/40, S/AC.49/2010/7 and S/AC.49/2013/2) submitted to the Security Council Committee established pursuant to resolution 1718 (2006), the Government of Brazil has the honour to inform the Committee as to the concrete measures it has taken with a view to effectively implementing the relevant provisions of resolution 2270 (2016) concerning the Democratic People's Republic of Korea (DPRK).

2. By means of Presidential Decree 8,825 of 29 July 2016,[a] resolution 2270 (2016) was incorporated into Brazilian law and made mandatory for all Brazilian authorities and for all individuals and entities under its jurisdiction.

3. Concerning the expansion of the arms embargo and non-proliferation measures outlined in resolution 2270 (2016), the legal and institutional framework referred to in paragraphs 3 to 11 of the report submitted by Brazil in 2010 (S/AC.49/2010/7) is suitable for the implementation of the additional sanctions. With regard to the new sectoral trade bans on coal, minerals and fuel, as well as the new items added to the luxury goods ban, the Department of Federal Revenue of the Ministry of Finance and the Department of Federal Police of the Ministry of Justice and Citizenship, in cooperation with the Armed Forces, have the powers to enforce the provisions of the new sanctions and combat the smuggling of prohibited goods, as detailed in paragraph 2 of the 2010 report.

4. The legal framework to effectively put in practice the Security Council sanctions on the financial sector was recently strengthened to enhance the implementation of sanctions relating to asset freezes. In addition to the measures contained in Law No. 9,613/1998 on illegal financial operations, the Government of Brazil enacted Law No. 13,170 of 16 October 2015, which establishes the rules for the freezing of assets, rights or values pursuant to Security Council resolutions. Law No. 13,170/2015 requires that, once a Council resolution on sanctions is incorporated into the Brazilian legal system, the Office of the Attorney General of Brazil must, within 24 hours, file a lawsuit demanding the freezing of the assets, rights and values of all designated individuals and entities. During that 24-hour period, a federal judge may determine that an asset freeze is necessary as a precautionary measure. Such judicial proceedings are sealed during the first stages, in order to prevent any individual or entity concerned from attempting to evade enforcement. The Brazilian justice system has issued two precautionary measures accepting the Government's advance request to freeze all assets, rights or values of the individuals and entities designated under United Nations resolutions on sanctions against DPRK. At the time of writing, however, no assets, rights or values of the aforementioned individuals or entities had been found in Brazil. Circular No. 3,780/2016, issued by the Central Bank of Brazil, regulates the proceedings to

[a] The full text of the Decree is on file with the Secretariat and is available for consultation.

be adopted by all financial institutions once a freeze of assets, rights or values is determined as being necessary by the Brazilian Judiciary.

5. With regard to the measures set out in paragraphs 13 and 14 of resolution 2270 (2016), Law No. 6,815 of 19 August 1980 (Statute on Foreign Persons) provides for the possibility of expulsion, by Presidential Decree, of foreign nationals who, inter alia, make any attempt against national security or whose actions render them harmful to national convenience and interests. Such provisions could be applied to foreign individuals acting in violation of the DPRK sanctions regime, taking into account Brazil's international legal obligations under the Charter of the United Nations and the relevant Security Council resolutions, all of which have been incorporated into Brazilian law. Information on the expulsion procedure has already been submitted to the Committee (see S/AC.49/2010/7, para. 13).

6. In addition to its efforts to effectively implement the provisions of resolution 2270 (2016) and all previous Security Council resolutions regarding DPRK, the Brazilian Government has publicly and strongly condemned nuclear and ballistic missile tests carried out by DPRK in violation of Council resolutions. Brazil has also expressly associated itself with the condemnations issued by the Council.

7. In 2016, three press releases were issued by the Ministry of Foreign Affairs, concerning a nuclear device detonation in January 2016,[b] a satellite launch using ballistic missile technology in February 2016[c] and a nuclear test in September 2016.[d]

8. Brazil reiterates its commitment to the full implementation of all Security Council resolutions regarding DPRK, including resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016). In this context, it reaffirms the importance of implementing the provisions of those resolutions without prejudice to the activities of the diplomatic missions in DPRK, pursuant to the Vienna Convention on Diplomatic Relations.

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[b] Available at www.itamaraty.gov.br/en/press-releases/12826-announcement-of-nuclear-device-detonation-by-the-democratic-people-s-republic-of-korea.

[c] Available at www.itamaraty.gov.br/en/press-releases/13112-satellite-launch-by-north-korea.

[d] Available at www.itamaraty.gov.br/en/press-releases/14705-tests-carried-out-by-the-democratic-people-s-republic-of-korea.

United Nations S/AC.49/2016/64

Security Council

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30 September 2016

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 29 September 2016 from the Permanent Mission of Belgium to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Belgium to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit herewith the report of Belgium on its implementation of resolution 2270 (2016) (see annex).

16-17283 (E) 141016 181016

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Annex to the note verbale dated 29 September 2016 from the Permanent Mission of Belgium to the United Nations addressed to the Chair of the Committee

[Original: French]

Report of Belgium to the Security Council Committee established pursuant to resolution 1718 (2006) on implementation of resolution 2270 (2016)

Belgium and the other members of the European Union have jointly implemented the restrictive measures against the Democratic Republic of Korea ("the DPRK") imposed by resolution 2270 (2016) of the Security Council by taking the following common measures:

(a) Decision (CFSP) 2016/319 of the Council of the European Union of 4 March 2016 implementing the decision of the Security Council to add names to the list of persons and entities subject to the travel ban and asset freeze;

(b) Implementing Regulation (EU) 2016/315 of the European Commission of 4 March 2016, amending Regulation (EC) no. 329/2007 of the Council of the European Union concerning restrictive measures against the DPRK, enabling the imposition of the asset freeze on the newly-designated persons and entities;

(c) Decision (CFSP) 2016/476 of the Council of the European Union of 31 March 2016, which sets out the commitment of the European Union to implement all measures contained in resolution 2270 (2016) and provides a clear framework for implementing measures taken by the European Union in the context of that resolution, notably:

- An expansion of export and import prohibitions to include any item (except food or medicine) that could contribute to the development of the operational capabilities of the armed forces of the DPRK;
- A requirement to expel any DPRK diplomat engaged in illicit activities and working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provisions of Security Council resolutions, including exemptions;
- A requirement to expel any foreign national involved in illicit activities, i.e. any individual who is not a citizen of the DPRK and who is working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provisions of Security Council resolutions;
- A requirement to close offices of designated entities and expel their representatives;
- A ban on specialized instruction or training of nationals of the DPRK;
- A requirement to inspect cargo in airports, seaports and free trade zones that originates from or is destined for the DPRK, or cargo for which the DPRK, nationals of that country, or persons or entities acting on their behalf or at their

direction have served as intermediaries, or cargo that is being transported on DPRK-flagged aircraft or maritime vessels;

- A requirement to ban DPRK chartering of vessels or aircraft or providing crew services, and to deregister any vessels belonging to it;
- A requirement to prohibit nationals of States Members of the European Union from operating DPRK-flagged vessels or flying the flag of that country;
- A ban on flights of any aircraft suspected of carrying contraband, with the exception of landing for inspection;
- A prohibition of port entry by any vessel controlled by a designated entity or suspected of engaging in illicit activities;
- An export ban on any item that could contribute to DPRK nuclear or ballistic programmes or other weapons of mass destruction programmes;
- A ban on import from the DPRK of such minerals as coal, iron, iron ore, gold, titanium ore, vanadium ore and rare-earth minerals;
- A ban on export to the DPRK of aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel;
- An asset freeze on DPRK Government entities or those of the Worker's Party of Korea associated with illegal programmes, and on individuals or entities acting on their behalf;
- A prohibition of the opening and operation of new branches, subsidiaries or representative offices of DPRK banks;
- A requirement to close existing branches, subsidiaries and representative offices of DPRK banks within 90 days of the adoption of resolution 2270 (2016);
- A requirement to close existing representative offices, subsidiaries and banking accounts in the DPRK within 90 days of the adoption of resolution 2270 (2016);
- An extension of the prohibition on providing public and private financial support for trade with the DPRK if such support could contribute to illicit activities of that country.

(d) Regulation (EU) 2016/682 of the Council of the European Union of 29 April 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the DPRK, and implementing the measures provided under Council Decision (CFSP) 2016/476 of 31 March 2016 itemized above.

In addition, the European Union has taken further restrictive measures against the DPRK, as set out in Decision (CFSP) 2016/849 and Regulation (EU) 2016/841 of the Council of the European Union of 27 May 2016.

These regulations of the European Union Council are binding in their entirety and are directly applicable in the legal systems of all European Union Member States upon their publication in the Official Journal of the European Union.

At the national level, the following texts provide the legal basis for the application of these sanctions in Belgium:

- The Decree-law of 6 October 1944 regulating all transfers abroad of goods and assets between Belgium and foreign countries (amended by the Act of 28 February 2002);
- The Act of 11 May 1995 on the implementation of United Nations Security Council decisions;
- The Act of 13 May 2003 on the implementation of restrictive measures adopted by the Council of the European Union against States, certain individuals and entities.

Moreover, Belgium has legislation, at both the national level and that of the competent regional authorities, requiring that an export licence be obtained for any sale, supply, transfer or export of arms and related materiel to third countries. This legislation provides the basis for the implementation of the arms embargo against the DPRK and of the prohibition of the provision of related services.

The Act of 5 August 1991 on the import, export and transit of, and combating the traffic in, arms, munitions and equipment specifically intended for military use or for maintaining order, as well as related technology, as amended by the Act of 26 March 2003, forbids any person residing in Belgium to undertake any arms transaction without a licence issued for that purpose by the Minister of Justice. This law also provides that holders of such licences may not undertake any transaction that would violate an embargo decreed by an international organization of which Belgium is a member (articles 10 and 11).

The same law provides that any request for an export or transit licence must be denied if it is incompatible with Belgium's international obligations and the commitments it has undertaken to implement the arms embargoes decreed by the United Nations Organization, the Organization for Security and Cooperation in Europe, and the European Union (article 4, paras. 1 and 2).

The regional authorities also have their own strict legal framework in this regard.

On the basis of resolutions 1718 (2006) and 2270 (2016), and amended Common Position 2006/795/CFSP and amended Regulation (EC) no. 329/2007 of the Council of the European Union, any request for a licence to export arms to the DPRK will be denied.

With regard to the embargo on items, materials, equipment, goods and technology which could contribute to the nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes of the DPRK, Belgium adheres to the requirements of Regulation (EC) no. 329/2007 of the Council of the European Union (consolidated version, Official Journal of the European Union of 29 May 2016) which forbids:

- The sale, supply, transfer or export of goods, materials or technologies which could contribute to the nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes of the DPRK;

- The purchase, import or transport of such items from the DPRK;
- The provision of technical assistance, financing and financial assistance related to arms and to goods which could contribute to weapons of mass destruction-related programmes of the DPRK;
- The procurement of such services from the DPRK. These prohibitions apply directly to all activities carried out in the European Union and to the nationals of member States anywhere in the world.

With regard to the freeze on financial assets and economic resources and the prohibition on providing funds, the following shall apply:

- Article 6 of Regulation (EC) no. 329/2007 of the Council of the European Union, which stipulates the freeze and the prohibition on providing economic resources to listed persons and entities as provided for under paragraph 32 of resolution 2270 (2016);
- Articles 5a and 5b, which provide for a variety of financial prohibitions in accordance with paragraphs 33 to 36 of resolution 2270 (2016).

Moreover, banks and financial institutions are kept informed of European Union regulations regarding individuals and entities subject to the freezing of assets and the prohibition of providing economic resources by the Official Journal of the European Union, as well as through the circulars of the association of the Belgian Financial Sector Federation.

In addition to the freeze instituted under Regulation (EC) no. 329/2007 of the Council of the European Union on restrictive measures against the DPRK, article 1/1, added on 8 January 2016 to the Act of 11 May 1995 on implementation of the decisions of the United Nations Security Council, allows the Minister of Finance to take interim freeze measures via Ministerial Order with regard to additions to the lists of individuals and entities targeted by the United Nations that have not yet been covered under European regulations, in order to prevent any delay in the implementation of such measures.

This is the background of the Ministerial Order of 4 March 2016 on freezing the assets and other financial means specified under article 1/1 of the Act of 11 May 1995 on implementing the decisions of the United Nations Security Council in the execution of the resolutions on restrictive measures against the DPRK for freezing the assets and other financial means of persons, entities or groups that have been added to the lists of persons, entities or groups subject to the restrictive measures against the DPRK under resolution 2270 (2016). To date, no asset-freezing procedures or prohibitions on providing funds have had to be imposed in Belgium.

The General Administration of Customs and Excise is charged with the control of goods entering and leaving the European Union. It has accordingly instituted the measures necessary for the implementation of the sanctions regime against the DPRK.

Finally, with regard to the requirements for entry into Belgian territory and the issuance of visas, article 23 paragraph 1 (a) of Decision (CFSP) 2016/849 refers to annex I of resolution 2270 (2016), which contains the list of individuals subject to the travel ban, in connection with those individuals for whom the States Members of

the European Union are required to take the measures necessary to prevent their entry into or transit through their territories. Individuals subject to the travel ban, whether applied at the level of the United Nations or that of the European Union, are immediately added to the database of the Belgian computer programme used for processing visa applications. If an applicant matches an individual or an alias in the database, the application in question is automatically forwarded to the competent national authority for denial.

United Nations S/AC.49/2016/65

Security Council

Distr.: General
11 October 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 11 October 2016 from the Permanent Mission of Mauritius to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Mauritius to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to refer to the letter dated 11 March 2016 from Hugh Griffiths, Coordinator of the Panel of Experts, addressed to Ambassador Jagdish Dharamchand Koonjul, Permanent Representative of the Republic of Mauritius to the United Nations.

The Permanent Mission of the Republic of Mauritius to the United Nations also has the honour to submit herewith the national implementation report of the Republic of Mauritius to the kind attention of the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) (see annex).

The Permanent Mission of the Republic of Mauritius to the United Nations avails itself of this opportunity to renew to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) the assurances of its highest consideration.

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Annex to the note verbale dated 11 October 2016 from the Permanent Mission of Mauritius to the United Nations addressed to the Chair of the Committee

Security Council Committee established pursuant to resolution 1718 (2006) related to the Democratic People's Republic of Korea

The report of the Republic of Mauritius on the implementation of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) concerning the Democratic People's Republic of Korea is submitted in accordance with paragraph 10 of resolution 2087 (2013) and paragraph 25 of resolution 2094 (2013).

The Republic of Mauritius recognizes the primary responsibility of the Security Council for maintaining international peace and security and the effective implementation of its resolutions.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
Arms and related materiel embargo	All Member States are required to prevent the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of all arms and related materiel, including small arms and light weapons and their related materiel, a ban on related financial transactions, technical training, including hosting of trainers, advisers or other officials for the purpose of military-, paramilitary- or police-related training, services or assistance related to manufacture, maintenance or use, and with respect to the shipment of items to or from the Democratic People's Republic of Korea for repair, servicing, refurbishing, testing, reverse-engineering and marketing. All Member States are required to apply a "catch-all" clause on the supply, sale or transfer of any item, even if not covered by the arms embargo, if they determine that such an item could directly contribute to the development of the operational capabilities of the armed forces of the Democratic People's Republic of Korea, or to exports that support/enhance the capabilities of the armed forces of another Member State outside the Democratic People's Republic of Korea.	The importation of firearms and weapons is strictly controlled and a police permit is required. If the firearm or weapon is imported prior to the approval of the permit, same will be detained by Customs at the time of arrival and thereafter handed over to the police for investigation and prosecution. No arms and related materials have been exported or imported between the Republic of Mauritius and the Democratic People's Republic of Korea. Importers already holding a valid firearm permit also have to go through the same procedures, that is, the firearm will be detained by Customs and handed over to the police for verification of the firearm and the permit. The Mauritius Police Force does not have any agreement and/or dealings with the Democratic People's Republic of Korea with regard to training, exchange programmes, acquisition of weapons and equipment, transportation or police services.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
Non-proliferation	All Member States are required to prevent the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of items relevant to nuclear, ballistic missiles and other weapons of mass destruction-related programmes. All Member States are further required to implement a binding, dual-use, "catch-all" provision to apply the above measures on any item if the State determines that it could contribute to the nuclear or ballistic missile programmes of the Democratic People's Republic of Korea, other weapons of mass destruction programmes or other activities prohibited by the resolutions.	No nuclear, ballistic missile or other weapons of mass destruction-related items have been exported or imported between the Republic of Mauritius and the Democratic People's Republic of Korea. In the field of terrorism, actions are being taken by the Counter-Terrorism Unit to add on its records persons of interest pursuant to the United Nations list. If ever they travel in our territory, the purpose of their visit will be closely scrutinized to ensure that they are not dealing in the trade of weapons which may ultimately end up in the wrong hands and used for terrorist-related activities. The Unit is also working in close collaboration with the Financial Intelligence Services so as to detect any suspicious transactions on behalf of the Democratic People's Republic of Korea via its listed representatives.
Proliferation networks	All Member States are required to expel diplomats and government representatives of the Democratic People's Republic of Korea, other nationals of the Democratic People's Republic of Korea acting in a governmental or representative office capacity, and foreign nationals that are working on behalf or at the direction of a designated person and/or entity, or of a person and/or entity assisting in sanctions evasions or violating the resolutions. All Member States are required to close the representative offices of designated persons and entities, as well as those of any persons or entities acting on behalf of such designated persons or entities, as well as prohibit them from participating in joint ventures and any other business arrangements.	There is no diplomatic representation from the Democratic People's Republic of Korea in the Republic of Mauritius.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
Interdiction and transportation	All Member States are required to inspect cargo destined to or originating from the Democratic People's Republic of Korea or brokered by the Democratic People's Republic of Korea that is within or transiting their territories. This also includes items that are being transported on flagged aircraft or vessels of the Democratic People's Republic of Korea.	Strict guidance and instructions have already been given to ground handlers since 2013 to inspect all such cargo at the port and airport, and to the National Coast Guard to make maritime checks in the exclusive economic zone.
	All Member States are prohibited from leasing, chartering their flagged vessels, aircraft or providing crew services to the Democratic People's Republic of Korea, designated persons and entities, or any persons or entities whom the Member State determines have assisted in sanctions evasions or in violations of the resolutions.	The Republic of Mauritius has never leased or chartered any Mauritian aircraft, nor has it provided any crew services to the Democratic People's Republic of Korea. The Republic of Mauritius does not have any dealings with the Democratic People's Republic of Korea with regard to such services.
	All Member States are required to de-register any vessel that is owned, operated or crewed by the Democratic People's Republic of Korea and not to register any such vessel that is de-registered by another Member State.	The Republic of Mauritius has never registered any aircraft that is owned, operated or crewed by the Democratic People's Republic of Korea. Any request for registration of such aircraft that has been de-registered by another Member State will not be entertained by the Mauritian authorities.
	All Member States are required to prohibit their nationals, entities and persons within their territory from registering vessels in the Democratic People's Republic of Korea or to obtain authorization for a vessel to use the flag of the Democratic People's Republic of Korea. All Member States are prohibited from owning, leasing, operating or providing vessel classification, certification or associated service and insurance to any Democratic People's Republic of Korea-flagged vessel.	There is a requirement for aircraft operators to seek and obtain permission to overfly and land in the territory of the Republic of Mauritius. Permission will be claimed for such aircraft containing prohibited items.
	All Member States are required to deny permission to any aircraft to take off from, land in or overfly their territory if they have information that provides reasonable grounds to believe that the aircraft contained prohibited items.	Instructions have been issued to relevant authorities and/or the office dealing with flight clearance not to recommend such flight for approval.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
	All Member States are required to deny port entry if they have information that provides reasonable grounds that the vessel is owned or controlled, directly or indirectly, by a designated individual and/or entity.	No request has yet been received in relation to any such aircraft and any such future request will be denied.
Provision of bunkering services	All Member States are required to prohibit the provision of bunkering services, such as fuel, supplies and other servicing of vessels to vessels of the Democratic People's Republic of Korea if reasonable grounds and information exist that they are carrying prohibited items.	Access to the port area will be denied to vessels of the Democratic People's Republic of Korea. Save that, the Republic of Mauritius has an international obligation under the International Convention for the Safety of Life at Sea, 1974 (SOLAS) to save life at sea in case of emergency.
Assets freeze	All Member States are required to freeze the assets, funds and economic resources of the entities of the Government of the Democratic People's Republic of Korea and the Korean Workers' Party that the State determines are associated with the prohibited activities, including designated persons and entities, as well as any persons or entities acting on behalf of or at their direction, or those owned or controlled by them. These include tangible, intangible, movable, immovable, actual or potential assets, which may be used to obtain funds, goods or services, such as vessels, including maritime vessels. Vessels controlled or operated by the Ocean Maritime Management Company (OMM) are subject to assets freeze by Member States.	The Bank of Mauritius, as regulator, has issued guidance for taking preventive measures which are within the statutory parameters of the Bank to prevent the banking system from being abused by money launderers and terrorist perpetrators. In this respect, the Bank generally provides all financial institutions under its purview with the list of persons and entities identified by the United Nations Security Council under the relevant Council resolutions. The Bank has, in line with the above practice, provided all financial institutions under its purview with the lists of persons and entities identified by the United Nations Security Council under Council resolution 2270 (2016) relating to the implementation of Council sanctions/measures against the Democratic People's Republic of Korea. The Bank has requested: (a) banks and non-bank deposit-taking institutions to inform the Bank whether the persons and entities mentioned in the list hold any account with them and to seek the approval of the Bank before executing any request for transactions in respect of those persons and entities; (b) cash

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
		dealers to seek the approval of the Bank before executing any request for transactions in respect of those persons and entities. The Bank, as at this date, has not received any positive responses from the licensees. Additionally, the Bank circulates the public statements issued by the Financial Action Task Force, where it has called upon the international community to apply countermeasures to the Democratic People's Republic of Korea, among others, to all its licensees, and advises them to stand guided by the recommendation of the Task Force. The Financial Services Commission of Mauritius has advised its licensees of the need to regularly verify whether they maintain any account or otherwise hold any fund, other financial assets, economic benefits and economic resources for the designated individuals or entities.
Travel ban	All Member States are required to prevent the entry into or transit through their territories of designated individuals; individuals acting on behalf of or at the direction of designated individuals; any individual whom a State determines is assisting in the evasion of sanctions, violating the provisions of the resolutions, working on behalf/at the direction of designated individuals; and individuals traveling for the purposes of carrying out activities related to the shipment of items for repair, servicing, refurbishing, testing, reverse-engineering and marketing.	The Passport and Immigration Office has set up a standing procedure for the implementation of the United Nations Security Council decision relating to the travel ban in respect of designated individuals who are on the sanctions list. In the event such individuals apply for a visa to visit Mauritius, their application is turned down. If a designated individual who does not require a visa is on the sanctions list, that person will not be allowed entry into the country and will be made to leave Mauritius by the same carrier and taken back to his/her last port of embarkation.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
Financial measures	All Member States are required to prevent the provision of financial services, including bulk cash and gold, the opening of banking subsidiaries, the provision of public financial support, new commitments for grants, and financial assistance or concessional loans that could contribute to the prohibited programmes/ activities of the Democratic People's Republic of Korea, or to the evasion of sanctions.	The Bank of Mauritius, as regulator, takes preventive measures which are within its statutory parameters to prevent the banking system from being abused by money launderers and terrorist perpetrators. In this respect, the Bank provides all financial institutions under its purview with the list of persons and entities identified by the United Nations Security Council under Council resolution 2270 (2016) related to the implementation of Council sanctions/measures against the Democratic People's Republic of Korea. The Bank has requested: (a) banks and non-bank deposit-taking institutions to inform the Bank whether the persons and entities mentioned in the list hold any account with them and to seek the approval of the Bank before executing any request for transactions in respect of those persons and entities; (b) cash dealers to seek the approval of the Bank before executing any request for transactions in respect of those persons and entities. The Bank, as at this date, has not received any positive responses from the licensees. Additionally, the Bank circulates the public statements issued by the Financial Action Task Force where it has called upon the international community to apply countermeasures to the Democratic People's Republic of Korea, among others, to all its licensees and advises them to stand guided by the recommendation of the Task Force. Generally, the Bank of Mauritius only considers applications for banking licences from reputable international banks incorporated abroad which are subject to consolidated supervision by competent foreign regulatory authorities.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
	All Member States are prohibited from opening any new branches, subsidiaries and representative offices of banks of the Democratic People's Republic of Korea; must close existing branches, subsidiaries and representative offices; and terminate any joint ventures, ownership interests or correspondent banking relationships with banks of the Democratic People's Republic in their territory.	No such offices operate in the Republic of Mauritius.
	All Member States are prohibited from opening any new representative offices, subsidiaries or bank accounts in the Democratic People's Republic of Korea. All Member States must close existing offices, subsidiaries and banking accounts in the Democratic People's Republic of Korea within reasonable grounds that they could contribute to the prohibited programmes of the Democratic People's Republic of Korea.	Same as above
	All Member States are required to prohibit public and private financial support from within their territories or by persons/entities within their jurisdiction for trade with the Democratic People's Republic of Korea, including granting of export credits, guarantees or insurance to their nationals or entities involved in such trade.	Same as above
Specialized teaching and training	All Member States are required to exercise vigilance and prevent specialized teaching or training of nationals of the Democratic People's Republic of Korea within their territories or by their nationals of disciplines which could contribute to the proliferation-sensitive nuclear activities and development of nuclear weapon delivery systems of the Democratic People's Republic of Korea, including teaching of advanced physics, advanced computer simulation and related computer sciences, geospatial navigation, nuclear engineering, aerospace engineering, aeronautical engineering and related disciplines.	There are no researchers from the Democratic People's Republic of Korea undertaking research for the Mautitius Research Council and no collaboration exists in scientific and technological research between the Council and the Democratic People's Republic of Korea. There are no students from the Democratic People's Republic of Korea studying in Mauritius in any study mode. The tertiary education institutions do not have any collaboration in scientific and technological research with the Democratic People's Republic of Korea. There are also no researchers from the Democratic People's Republic of Korea currently undertaking research in any tertiary education institutions in Mauritius.

Measures taken pursuant to the resolutions	*Description*	*Measures taken by the Republic of Mauritius*
Coal and minerals ban	The Democratic People's Republic of Korea is prohibited from supplying, selling, transferring, directly or indirectly, from its territory or by its nationals, or using its flag vessels or aircraft, coal, iron and iron ore, gold, titanium ore, vanadium ore and rare earth minerals. All Member States are prohibited from procuring such material from the Democratic People's Republic of Korea by their nationals, or by using their flag vessels or aircraft, whether or not originating in the territory of the Democratic People's Republic of Korea.	The amount of import and export to/from the Democratic People's Republic of Korea is minimal and does not fall within the category of restricted items.
Fuel ban	All Member States are prohibited from selling or supplying aviation fuel, jet fuel and rocket fuel to the Democratic People's Republic of Korea.	The amount of import and export to/from the Democratic People's Republic of Korea is minimal and does not fall within the category of restricted items.
Luxury goods ban	All Member States are required to prevent the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of luxury goods (including those items listed in annex IV to resolution 2094 (2013) and annex IV to resolution 2270 (2016)).	The amount of import and export to/from the Democratic People's Republic of Korea is minimal and does not fall within the category of restricted items.

United Nations S/AC.49/2016/66

Security Council

Distr.: General
11 October 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 11 October 2016 from the Permanent Mission of Ireland to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Ireland to the United Nations wishes to submit for the attention of the Committee and Panel of Experts the attached 90-day report on the implementation of Security Council resolution 2270 (2016) (see annex).

The present report is submitted pursuant to paragraph 40 of resolution 2270 (2016), and covers the steps taken by the Government of Ireland to implement paragraphs 6 to 15, 17 to 23 and 27 to 39 of the resolution.

Ireland is committed to fulfilling its responsibilities under the Security Council resolutions on the Democratic People's Republic of Korea and adopts a cross-sectoral, whole-of-government approach in order to do so.

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Annex to the note verbale dated 11 October 2016 from the Permanent Mission of Ireland to the United Nations addressed to the Chair of the Committee

Report of Ireland on the implementation of Security Council resolution 2270 (2016)

Introduction

The Permanent Mission of Ireland to the United Nations presents its compliments to the Chair of the Committee established through resolution 1718 (2006) and has the honour to submit its report, pursuant to paragraph 40 of resolution 2270 (2016), on the steps taken by the Government of Ireland to implement paragraphs 6 to 15, 17 to 23 and 27 to 39 of the resolution.

Ireland is committed to fulfilling its responsibilities under the Security Council resolutions on the Democratic People's Republic of Korea and adopts a cross-sectoral, whole-of-government approach in order to do so. There are three competent authorities (the Department of Foreign Affairs and Trade, the Department of Jobs, Enterprise and Innovation and the Central Bank of Ireland) designated in relation to sanctions. There is also a cross-departmental international sanctions committee that monitors, reviews and coordinates the implementation, administration and exchange of information on international sanctions regimes in Ireland.

Measures taken to implement sanctions under resolution 2270 (2016)

Ireland and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed in Security Council resolution 2270 (2016) by taking the following common measures:[1]

- Council Decision 2016/476/CFSP of 31 March 2016[2]

  The Council Decision sets out the commitment of the European Union to implementing all the measures contained in resolution 2270 (2016) and provides the basis for European Union-specific accompanying measures within the scope of the resolution, notably:

  - The designation of additional persons and entities (travel ban and asset freeze);
  - The extension of export and import prohibitions to any item (except food or medicine) that could contribute to the development of the operational capabilities of the armed forces of the Democratic People's Republic of Korea;

[1] All common measures are published in the Official Journal of the European Union, which can be consulted at: http://eur-lex.europa.eu/JOIndex.do?ihmlang=en (published issues) and http://eur-lex.europa.eu/advanced-search-form.html?qid=1456325860845&action=update (search form).

[2] Official Journal of the European Union L 85, 1 April 2016, p. 38.

- The requirement to expel diplomats of the Democratic People's Republic of Korea engaged in illicit activities, such diplomats working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provision of Security Council resolutions, including exemptions;

- The requirement to expel foreign nationals involved in illicit activities, which targets foreign nationals working on behalf or at the direction of a designated individual or entity, or of an individual or entities assisting in the evasion of sanctions or violating the provisions of Security Council resolutions;

- The requirement to close offices of designated entities and expel representatives whereby States members shall close the representative offices of designated entities and prohibit such entities, as well as individuals or entities acting for or on their behalf, from participating in joint ventures or any other business arrangements;

- The ban on specialized training, including teaching or training in specific fields;

- The requirement to inspect cargo from the Democratic People's Republic of Korea within or transiting free trade zones or that is being transported on Democratic People's Republic of Korea-flagged aircraft or maritime vessels. In addition, the obligation to inspect is irrespective of any reasonable grounds to suspect that the cargo contains prohibited items;

- The requirement to ban the Democratic People's Republic of Korea from chartering vessels or aircraft and to de-register vessels, including a prohibition to provide crew services;

- The requirement to prohibit nationals from operating Democratic People's Republic of Korea vessels and vessels flagged by the Democratic People's Republic of Korea;

- The ban on flights of any plane suspected of carrying contraband, with the exception of those landing for inspection;

- The prohibition of entry into ports of any vessel controlled by a designated entity or suspected of engaging in illicit activity;

- The ban on the export of any item that could contribute to the nuclear or ballistic programmes of the Democratic People's Republic of Korea or other weapons of mass destruction programmes;

- The ban on exports from the Democratic People's Republic of Korea of specified minerals, such as coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals;

- The ban on the export of aviation fuel to the Democratic People's Republic of Korea, such as aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel;

- An asset freeze on government entities or the Workers' Party of Korea associated with illegal programmes or on individuals or entities acting on their behalf;
- The prohibition of the opening and operation of new branches, subsidiaries and representative offices of banks from the Democratic People's Republic of Korea;
- The obligation to close existing branches, subsidiaries or representative offices of banks from the Democratic People's Republic of Korea within 90 days;
- The obligation to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days;
- The extension of the prohibition on providing financial support for trade with the Democratic People's Republic of Korea or private financial support for trade if such financial support could contribute to the illicit activities of the Democratic People's Republic of Korea.

• Commission Implementing Regulation (EU) 2016/315 of 4 March 2016, amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[3]

In addition to the Council Decision, the Council adopted a regulation implementing article 6 (2) of the Council Regulation (EC) No. 329/2007 on restrictive measures against the Democratic People's Republic of Korea in order to legally enforce the asset freeze for the new European Union autonomous designations of persons and entities.

• Council Regulation (EU) 2016/682 of 29 April 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[4] gives effect to the measures provided in Council Decision 2016/476/CFSP of 31 March 2016[5]

• Council Decision (CFSP) 2016/785 of 19 May 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea[6]

• Commission Implementing Regulation (EU) 2016/780 of 19 May 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[7]

• Council Decision (CFSP) 2016/849 of 27 May 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea[8]

[3] Official Journal of the European Union L 60, 5 March 2016, p. 62.
[4] Official Journal of the European Union L 117, 3 May 2016, p. 1.
[5] Official Journal of the European Union L 85, 1 April 2016, p. 38.
[6] Official Journal of the European Union L 131, 20 May 2016, p. 73.
[7] Official Journal of the European Union L 131, 20 May 2016, p. 55.
[8] Official Journal of the European Union L 141, 28 May 2016, p. 79.

- Council Regulation (EU) 2016/841 of 27 May 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[9]
- Council Regulation (EU) 2016/1333 of 4 August 2016 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[10]
- Council Decision (CFSP) 2016/1341 of 4 August 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea[11]

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all States members of the European Union. Under regulation (EC) No. 329/2007 States members are required to determine the penalties applicable to infringements of their provisions. The penalties determined by Ireland are set out in the European Communities Act 1972, as amended, which provides for penalties of up to €500,000 and for a term of imprisonment not greater than three years. More particularly, Statutory Instrument No. 79/2016-European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) Regulations 2016, provides that a person who contravenes Council Regulation (EC) No. 329/2007 commits an offence. In addition, the Financial Transfers Act 1992, as applied by Statutory Instrument No. 547/2013 Financial Transfers (Democratic People's Republic of Korea) (Prohibition) Order 2013, provides for penalties of up to €10,000,000 or twice the amount of the capital in respect of which the offence was committed, whichever is the greater or, to a term of imprisonment not exceeding 10 years, or to both.

In addition to the joint implementation of the restrictive measures against the Democratic People's Republic of Korea imposed by Security Council resolution 2270 (2016) as outlined above, Ireland has taken the following measures to ensure compliance.

Embargoed goods, items and technical assistance

With regard to paragraphs 6 to 9, 27 to 31 and 39 of Security Council resolution 2270 (2016), Ireland has taken the following measures.

The primary piece of national legislation on export control is the Control of Exports Act 2008, which provides a framework for the adoption of ministerial orders controlling exports of certain classes of goods and technology, and for the control of certain classes of technical assistance and brokering activities.

Under Irish law, military export licences must be sought in respect of the goods and technology, and any components thereof, listed in the annex to the Control of Exports (Goods and Technology) Order, Statutory Instrument No. 216 of 2012 which reflects the Common Military List of the European Union.

[9] Official Journal of the European Union L 141, 28 May 2016, p. 36.
[10] Official Journal of the European Union L 212, 5 August 2016, p. 1.
[11] Official Journal of the European Union L 212, 5 August 2016, p. 116.

The Control of Exports (Brokering Activities) Order 2011, Statutory Instrument No. 86 of 2011, was made pursuant to section 3 of the Control of Exports Act 2008. It imposes a licensing requirement in respect of brokering activities relating to goods and technology on the Common Military List of the European Union as set out in the schedule to the Order.

Council Regulation (EC) 428/2009, which sets up a community regime for the control of exports, transfer, brokering and transit of dual-use items (the "Dual-Use Regulation"), is the main piece of legislation governing the export of dual-use items from Europe.

Together with Council Decision 2016/849/CFSP,[12] this provides the basis for enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services.

In addition to the licensing requirements imposed by that legislation, all exports of goods to and imports of goods from the Democratic People's Republic of Korea are reported by Revenue Customs Service to the Licensing Unit of the Department of Jobs, Enterprise and Innovation. Those imports and exports are reviewed by the Licensing Unit against European Union sanctions and will in such instances include contacting the importer or exporter for further information. Those goods cannot clear customs until the Licensing Unit responds on the matter.

Customs

With regard to paragraph 18 of Security Council resolution 2270 (2016), Ireland has taken the following measures.

The Office of the Revenue Commissioners enforces the relevant prohibitions on the export of arms, related materials and other goods prohibited under Council Regulation (EC) 329/2007 (as amended) to the Democratic People's Republic of Korea as specified in Security Council resolution 2270 (2016). Through its Customs Service, the Office profiles all imports into and exports out of Ireland to identify and interdict cargo transiting through Ireland to or from the Democratic People's Republic of Korea.

Financial and asset freezes

With regard to paragraphs 10, 12, 15, 23 and 32 to 38 of Security Council resolution 2270 (2016), in addition to the European Union's legal measures and the criminal penalties in Irish law outlined above, the website of the Central Bank of Ireland provides details on the requirements imposed on and the actions to be taken by the Irish financial sector whenever entities are listed under the Democratic People's Republic of Korea regime, stating that all of those entities' assets must be frozen and reported to the Central Bank. Following the adoption of additional Security Council resolutions in 2016, the Central Bank has recirculated information relating to the sanctions concerning the Democratic People's Republic of Korea.

[12] Official Journal of the European Union L 141, 28 May 2016, p. 79.

Travel restrictions

With regard to paragraphs 11 and 14 of Security Council resolution 2270 (2016), Ireland has taken the following measures.

Visa applications for travel to Ireland by foreign nationals are subject to individual assessment by officials from the Irish National Immigration Service, which has been informed of the restrictions contained in paragraphs 11 and 14 of resolution 2270 (2016) and has committed to enforcing them.

In addition, details of persons subject to United Nations resolutions relating to travel restrictions are relayed to An Garda Síochána in the first instance, who then liaise with the authorities at ports of entry. Details are uploaded to the Garda Border Information System, which includes details of such persons for Irish authorities and, in the context of the protection of the Common Travel Area, authorities of the United Kingdom also. A person on such a list may be refused entry to the State in accordance with section 4 (3) (j) of the Immigration Act 2004, on national security or public policy grounds.

Specialized teaching or training

Visa applications for foreign nationals to teach or undergo training in Ireland are subject to individual assessment by officials from the Irish National Immigration Service, which has been informed of and has committed to enforcing the restrictions contained in paragraph 17 of Security Council resolution 2270 (2016).

Transportation

With regard to the measures concerning maritime restrictions referred to in paragraphs 19, 20 and 22 of Security Council resolution 2270 (2016), given the typical volume of traffic, Ireland assesses that those measures are likely to have very little, if any, impact on Irish vessels, maritime services or workers. Measures in place include: (a) confirmation by the Minister of Transport, Tourism and Sport that no ministerial approval should be granted to Irish persons seeking to register a ship in the Democratic People's Republic of Korea; (b) the instructions to registrars of shipping to refuse any applications to register a ship in Ireland where there is a controlling Democratic People's Republic of Korea entity; and (c) the provision by the Maritime Survey Office of ship arrival information to the Revenue Customs Service via the SafeSeasIreland portal, which facilitates the identification of vessels subject to financial-related controls required in the resolution. The Department of Foreign Affairs and Trade has notified the Revenue Customs Service that the vessels specified in annex III to the resolution are economic assets subject to the asset freeze imposed in paragraph 8 (d) of resolution 1718 (2006) and the Revenue Customs Service is empowered to arrest the vessels, should they land in Ireland.

It is not considered that supplementary controls or provisions are necessary for enforcement at this time.

With regard to paragraphs 19 and 21 of Security Council resolution 2270 (2016), there are no scheduled air services between Ireland and the Democratic People's Republic of Korea. Ireland is unaware of any instances where aircraft

believed to be transporting embargoed goods have sought permission to take off from, land in or overfly Ireland.

Diplomatic relations

While cognizant of paragraph 13 of Security Council resolution 2270 (2016), the Democratic People's Republic of Korea does not have an embassy resident in Ireland.

United Nations S/AC.49/2016/67

Security Council

Distr.: General
4 November 2016
English
Original: Spanish

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 26 October 2016 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea and has the honour to refer to the submission of the national report on the implementation of Security Council resolution 2270 (2016), in conformity with paragraph 40 thereof.

In this connection, and in response to the Committee's request for pertinent information on the implementation of the measures established in resolution 2270 (2016), the Mission has the honour to provide the following information from our Ministry of People's Power of Foreign Affairs:

> "In the light of its commitment to the international principles and instruments relating to disarmament and the non-proliferation of weapons of mass destruction and their means of delivery, the Government of the Bolivarian Republic of Venezuela has the honour to indicate that it has notified all pertinent institutions in the country of the provisions of resolution 2270 (2016), requesting that they take the corresponding measures to implement them".

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United Nations S/AC.49/2016/68

Security Council

Distr.: General
13 October 2016

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 13 October 2016 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Sweden to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit its implementation report pursuant to resolution 2270 (2016) (see annex).

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Annex to the note verbale dated 13 October 2016 from the Permanent Mission of Sweden to the United Nations addressed to the Chair of the Committee

Report by Sweden on the implementation of Security Council resolution 2270 (2016)

1. Sweden and the other States members of the European Union have jointly implemented the sanctions against the Democratic People's Republic of Korea (DPRK) imposed by the Security Council in its resolution 2270 (2016) by taking the following common measures:

(a) Council Decision (CFSP) 2016/319 of 4 March 2016 amending Decision 2013/183/CFSP, and Commission Implementing Regulation (EU) 2016/315 of 4 March 2016 amending Council Regulation (EC) No. 329/2007, implementing the designation of additional persons and entities (travel ban and asset freeze);

(b) Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP, providing the basis for the implementation of measures imposed under resolution 2270 (2016), notably:

(i) Designation of additional persons and entities (travel ban and asset freeze);

(ii) Extension of export and import prohibitions on any item (except for food and medicine) that could contribute to the development of the operational capabilities of the DPRK armed forces;

(iii) Requirement to expel DPRK diplomats engaged in illicit activities: targets DPRK diplomats working on behalf or at the direction of a designated individual or entity, or of an individual or entity assisting in the evasion of sanctions or violating the provisions of Security Council resolutions, including exemptions;

(iv) Requirement to expel foreign nationals involved in illicit activities: targets foreign nationals working on behalf or at the direction of a designated individual or entity, or of an individual or entities assisting in the evasion of sanctions or violating the provisions of Security Council resolutions;

(v) Requirement to close offices of designated entities and expel representatives: member States are to close the representative offices of designated entities and prohibit such entities, as well as individuals or entities acting for them or on their behalf, from participating in joint ventures or any other business arrangements;

(vi) Ban on specialized training, including teaching or training in specific fields;

(vii) Requirement to inspect DPRK cargo within or transiting through free trade zones or cargo that is being transported on DPRK-flagged aircraft or maritime vessels. In addition, the obligation to inspect is irrespective of any reasonable grounds to suspect that the cargo contains prohibited items;

(viii) Requirement to ban DPRK chartering of vessels or aircraft and deregister vessels, including a prohibition on providing crew services;

(ix) Requirement to prohibit nationals from operating DPRK vessels/flying the DPRK flag;

(x) Ban on flights of any aeroplane suspected of carrying contraband, with the exception of landing for inspection;

(xi) Prohibition of entry into ports of any vessel controlled by a designated entity or suspected of engaging in illicit activity;

(xii) Export ban on any item that could contribute to DPRK nuclear or ballistic programmes or other weapons of mass destruction programmes;

(xiii) Ban on export from DPRK of specified minerals including coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals;

(xiv) Ban on aviation fuel exports to DPRK including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel;

(xv) Asset freeze on government entities or those of the Worker's Party of Korea associated with illegal programmes or on individuals or entities acting on their behalf;

(xvi) Prohibition on the opening and operation of new branches, subsidiaries and representative offices of DPRK banks;

(xvii) Obligation to close existing branches, subsidiaries or representative offices of DPRK banks within 90 days;

(xviii) Obligation to close existing representative offices, subsidiaries or bank accounts in DPRK within 90 days;

(xix) Extension of the prohibition on providing financial support for trade with DPRK and on covering private financial support for trade if such financial support could contribute to illicit activities of DPRK;

(c) Council Regulation (EU) 2016/682 of 29 April 2016 amending Regulation (EC) No. 329/2007, giving effect to the measures provided by the above-mentioned Council Decision (CFSP) 2016/476 of 31 March 2016;

(d) Council Decision (CFSP) 2016/849 of 27 May 2016, repealing and replacing Decision 2013/183/CFSP, including all amendments to that decision (such as Decision (CFSP) 2016/476).

2. Furthermore, the European Union imposed additional restrictive measures against DPRK. These measures are provided for in Council Decision (CFSP) 2016/849 and Council Regulation (EU) 2016/841 of 27 May 2016, as well as in Council Decision (CFSP) 2016/1341 amending Decision (CFSP) 2016/849, and Council Regulation (EU) 2016/1333 of 4 August 2016 amending Regulation (EC) No. 329/2007, providing for the designation of additional items, materials, equipment, goods and technology to which prohibitions on the transfer, procurement and provision of technical assistance also apply.

3. In addition to the common European Union measures, the Swedish authorities, within the scope of their national implementation competence, apply the Act on Certain International Sanctions (1996:95) in implementing the restrictive measures against DPRK imposed by the Security Council.

4. The above-mentioned Council regulations are binding in their entirety and are directly applicable in all States members of the European Union, including Sweden. Council Regulation (EC) No. 329/2007, as amended, requires member States to determine the penalties applicable to infringements of its provisions. At the national level, penalties for violations of directly applicable European Union law are set out in the relevant sections of the above-mentioned Swedish legislation.

5. Sweden also has the Military Equipment Act (1992:1300), requiring export authorization for the sale, supply, transfer or export of arms and related materiel (excluding paramilitary equipment) to third countries and authorization for the provision of brokering services and other services related to military activities. Together, Council Decision (CFSP) 2016/849 and the Military Equipment Act provide the basis for enforcing the arms embargo against DPRK.

6. In addition, Sweden has Decree (2011:67) concerning Certain Sanctions against the Democratic People's Republic of Korea, prohibiting the procurement of arms and related materiel (including paramilitary equipment) from DPRK, as well as the sale, supply, transfer or export of paramilitary equipment to DPRK.

7. Regarding restrictions on admissions (visa ban), the Swedish general legislation concerning aliens, Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001 provide the basis for the refusal of admission and the denial of requests for a visa.